

110TH CONGRESS
1ST SESSION

S. 1143

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2007

Mr. NELSON of Florida introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jupiter Inlet Light-
5 house Outstanding Natural Area Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the area surrounding the Jupiter Inlet
2 Lighthouse in the State of Florida—

3 (A) is at the confluence of the Loxahatchee
4 River and the Indian River Lagoon; and

5 (B) supports significant ecological values,
6 including—

7 (i) endangered species of flora and
8 fauna; and

9 (ii) imperiled natural communities
10 rapidly vanishing in south Florida;

11 (2) the area surrounding the Lighthouse was
12 first used by Native Americans over 4,000 years
13 ago;

14 (3) Europeans made contact with the area sur-
15 rounding the Lighthouse in the 17th century;

16 (4) the Lighthouse and the associated Oil
17 House, which was constructed in 1860, are nation-
18 ally recognized historical structures that should be
19 preserved for present and future generations of peo-
20 ple in the United States;

21 (5) the Lighthouse tells an important story
22 about—

23 (A) the maritime history of southeast Flor-
24 ida;

1 (B) the prehistory and history of southeast
2 Florida; and

3 (C) the role of southeast Florida in the
4 Civil War, World War II, and the creation of
5 the National Weather Service;

6 (6) the Lighthouse is listed on the National
7 Register of Historic Places;

8 (7) the Lighthouse has been, and continues to
9 be, a physical manifestation of the commitment of
10 the Federal Government to maritime safety and se-
11 curity;

12 (8) the current operations and activities of the
13 Coast Guard at Jupiter Inlet perpetuate the commit-
14 ment described in paragraph (7);

15 (9) the Jupiter Inlet Lighthouse Outstanding
16 Natural Area—

17 (A) would make a significant addition to
18 the National Landscape Conservation System
19 administered by the Bureau of Land Manage-
20 ment; and

21 (B) would be the only unit of the National
22 Landscape Conservation System located east of
23 the Mississippi River;

24 (10) statutory protection is needed for the
25 Lighthouse and the Federal land surrounding the

1 Lighthouse to ensure that the natural and cultural
2 resources continue to be—

3 (A) a part of the historic, cultural, and
4 natural heritage of the United States; and

5 (B) a source of inspiration for the people
6 of the United States;

7 (11) the actions of the Federal Government to
8 protect and conserve the land and historic structures
9 associated with the Outstanding Natural Area
10 should not be construed, interpreted, or allowed to
11 diminish or control ongoing or future Coast Guard
12 operations or activities; and

13 (12) the Lighthouse and the Federal land sur-
14 rounding the Lighthouse represent a true partner-
15 ship of the highest order in which collaboration is,
16 and would continue to be, an everyday reality lead-
17 ing to successful management and land stewardship
18 by the Bureau of Land Management, Palm Beach
19 County, Florida, the Town of Jupiter, Florida, the
20 Village of Tequesta, Florida, the Loxahatchee River
21 Historical Society, and the Coast Guard (collectively
22 known as the “Jupiter Working Group”) and other
23 partners.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) COMMANDANT.—The term “Commandant”
2 means the Commandant of the Coast Guard.

3 (2) LIGHTHOUSE.—The term “Lighthouse”
4 means the Jupiter Inlet Lighthouse located in Palm
5 Beach County, Florida.

6 (3) LOCAL PARTNERS.—The term “Local Part-
7 ners” includes—

8 (A) Palm Beach County, Florida;

9 (B) the Town of Jupiter, Florida;

10 (C) the Village of Tequesta, Florida; and

11 (D) the Loxahatchee River Historical Soci-
12 ety.

13 (4) MANAGEMENT PLAN.—The term “manage-
14 ment plan” means the management plan developed
15 under section 5(a).

16 (5) MAP.—The term “map” means the map en-
17 titled “Jupiter Inlet Lighthouse: Outstanding Nat-
18 ural Area” and dated February 2007.

19 (6) OUTSTANDING NATURAL AREA.—The term
20 “Outstanding Natural Area” means the Jupiter
21 Inlet Lighthouse Outstanding Natural Area estab-
22 lished by section 4(a).

23 (7) PUBLIC LAND.—The term “public land”
24 has the meaning given the term “public lands” in

1 section 103(e) of the Federal Land Policy and Man-
 2 agement Act of 1976 (43 U.S.C. 1702(e)).

3 (8) SECRETARY.—The term “Secretary” means
 4 the Secretary of the Interior.

5 (9) STATE.—The term “State” means the State
 6 of Florida.

7 **SEC. 4. ESTABLISHMENT OF THE JUPITER INLET LIGHT**
 8 **HOUSE OUTSTANDING NATURAL AREA.**

9 (a) ESTABLISHMENT.—Subject to valid existing
 10 rights, there is established for the purposes described in
 11 subsection (b) the Jupiter Inlet Lighthouse Outstanding
 12 Natural Area, the boundaries of which are depicted on the
 13 map.

14 (b) PURPOSES.—The purposes of the Outstanding
 15 Natural Area are to protect, conserve, and enhance the
 16 unique and nationally important historic, natural, cul-
 17 tural, scientific, educational, scenic, and recreational val-
 18 ues of the Federal land surrounding the Lighthouse for
 19 the benefit of present generations and future generations
 20 of people in the United States, while—

21 (1) allowing certain recreational and research
 22 activities to continue in the Outstanding Natural
 23 Area; and

1 (2) ensuring that Coast Guard operations and
2 activities are unimpeded within the boundaries of
3 the Outstanding Natural Area.

4 (c) AVAILABILITY OF MAP.—The map shall be on file
5 and available for public inspection in—

6 (1) the Office of the Director of the Bureau of
7 Land Management; and

8 (2) the Eastern States Office of the Bureau of
9 Land Management in the State of Virginia.

10 (d) WITHDRAWAL.—

11 (1) IN GENERAL.—Subject to valid existing
12 rights, section 7, and any existing withdrawals under
13 the Executive orders and public land order described
14 in paragraph (2), the Federal land and any interests
15 in the Federal land included in the Outstanding
16 Natural Area are withdrawn from—

17 (A) all forms of entry, appropriation, or
18 disposal under the public land laws;

19 (B) location, entry, and patent under the
20 public land mining laws; and

21 (C) operation of the mineral leasing and
22 geothermal leasing laws and the mineral mate-
23 rials laws.

1 (2) DESCRIPTION OF EXECUTIVE ORDERS.—

2 The Executive orders and public land order de-
3 scribed in paragraph (1) are—

4 (A) the Executive Order dated October 22,
5 1854;

6 (B) Executive Order No. 4254 (June 12,
7 1925); and

8 (C) Public Land Order No. 7202 (61 Fed.
9 Reg. 29758).

10 **SEC. 5. MANAGEMENT PLAN.**

11 (a) IN GENERAL.—Not later than 3 years after the
12 date of enactment of this Act, the Secretary, in consulta-
13 tion with the Commandant, shall develop a comprehensive
14 management plan in accordance with section 202 of the
15 Federal Land Policy and Management Act of 1976 (43
16 U.S.C. 1712) to—

17 (1) provide long-term management guidance for
18 the public land in the Outstanding Natural Area;
19 and

20 (2) ensure that the Outstanding Natural Area
21 fulfills the purposes for which the Outstanding Nat-
22 ural Area is established.

23 (b) CONSULTATION; PUBLIC PARTICIPATION.—The
24 management plan shall be developed—

1 (1) in consultation with appropriate Federal,
2 State, county, and local government agencies, the
3 Commandant, the Local Partners, the Loxahatchee
4 River Historical Society, and other partners; and

5 (2) in a manner that ensures full public partici-
6 pation.

7 (c) EXISTING PLANS.—The management plan shall,
8 to the maximum extent practicable, be consistent with ex-
9 isting resource plans, policies, and programs.

10 (d) INCLUSIONS.—The management plan shall in-
11 clude—

12 (1) objectives and provisions to ensure—

13 (A) the protection and conservation of the
14 resource values of the Outstanding Natural
15 Area; and

16 (B) the restoration of native plant commu-
17 nities and estuaries in the Outstanding Natural
18 Area, with an emphasis on the conservation and
19 enhancement of healthy, functioning ecological
20 systems in perpetuity;

21 (2) objectives and provisions to maintain or
22 recreate historic structures;

23 (3) an implementation plan for a program of in-
24 terpretation and public education about the natural
25 and cultural resources of the Lighthouse, the public

1 land surrounding the Lighthouse, and associated
2 structures;

3 (4) a proposal for administrative and public fa-
4 cilities to be developed or improved that—

5 (A) are compatible with achieving the re-
6 source objectives for the Outstanding Natural
7 Area described in section 6(a)(1)(B); and

8 (B) would accommodate visitors to the
9 Outstanding Natural Area;

10 (5) natural and cultural resource management
11 strategies for the Outstanding Natural Area, to be
12 developed in consultation with appropriate depart-
13 ments of the State, the Local Partners, and the
14 Commandant, with an emphasis on resource con-
15 servation in the Outstanding Natural Area and the
16 interpretive, educational, and long-term scientific
17 uses of the resources; and

18 (6) recreational use strategies for the Out-
19 standing Natural Area, to be prepared in consulta-
20 tion with the Local Partners, appropriate depart-
21 ments of the State, and the Coast Guard, with an
22 emphasis on passive recreation.

23 (e) INTERIM PLAN.—Until a management plan is
24 adopted for the Outstanding Natural Area, the Jupiter
25 Inlet Coordinated Resource Management Plan (including

1 any updates or amendments to the Jupiter Inlet Coordi-
 2 nated Resource Management Plan) shall be in effect.

3 **SEC. 6. MANAGEMENT OF THE JUPITER INLET LIGHT-**
 4 **HOUSE OUTSTANDING NATURAL AREA.**

5 (a) MANAGEMENT.—

6 (1) IN GENERAL.—The Secretary, in consulta-
 7 tion with the Local Partners and the Commandant,
 8 shall manage the Outstanding Natural Area—

9 (A) as part of the National Landscape
 10 Conservation System; and

11 (B) in a manner that conserves, protects,
 12 and enhances the unique and nationally impor-
 13 tant historical, natural, cultural, scientific, edu-
 14 cational, scenic, and recreational values of the
 15 Outstanding Natural Area, including an empha-
 16 sis on the restoration of native ecological sys-
 17 tems.

18 (2) LIMITATION.—In managing the Out-
 19 standing Natural Area, the Secretary shall not take
 20 any action that precludes, prohibits, or otherwise af-
 21 fects the conduct of ongoing or future Coast Guard
 22 operations or activities on lots 16 and 18, as de-
 23 picted on the map.

24 (b) USES.—Subject to valid existing rights and sec-
 25 tion 7, the Secretary shall only allow uses of the Out-

1 standing Natural Area that the Secretary, in consultation
2 with the Commandant and Local Partners, determines
3 would likely further—

4 (1) the purposes for which the Outstanding
5 Natural Area is established;

6 (2) the Federal Land Policy and Management
7 Act of 1976 (43 U.S.C. 1701 et seq.); and

8 (3) other applicable laws.

9 (c) COOPERATIVE AGREEMENTS.—To facilitate im-
10 plementation of the management plan and to continue the
11 successful partnerships with local communities and other
12 partners, the Secretary shall, in accordance with section
13 307(b) of the Federal Land Management Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1737(b)), enter into co-
15 operative agreements with the appropriate Federal, State,
16 county, other local government agencies, and other part-
17 ners (including the Loxahatchee River Historical Society)
18 for the long-term management of the Outstanding Natural
19 Area

20 (d) RESEARCH ACTIVITIES.—To continue successful
21 research partnerships, pursue future research partner-
22 ships, and assist in the development and implementation
23 of the management plan, the Secretary may, in accordance
24 with section 307(a) of the Federal Land Policy and Man-
25 agement Act of 1976 (43 U.S.C. 1737(a)), authorize the

1 conduct of appropriate research activities in the Out-
 2 standing Natural Area for the purposes described in sec-
 3 tion 4(b).

4 (e) ACQUISITION OF LAND.—

5 (1) IN GENERAL.—Subject to paragraph (2),
 6 the Secretary may acquire for inclusion in the Out-
 7 standing Natural Area any State or private land or
 8 any interest in State or private land that is—

9 (A) adjacent to the Outstanding Natural
 10 Area; and

11 (B) identified in the management plan as
 12 appropriate for acquisition.

13 (2) MEANS OF ACQUISITION.—Land or an in-
 14 terest in land may be acquired under paragraph (1)
 15 only by—

16 (A) donation;

17 (B) exchange with a willing party; or

18 (C) purchase from a willing seller.

19 (3) ADDITIONS TO THE OUTSTANDING NAT-
 20 URAL AREA.—Any land or interest in land adjacent
 21 to the Outstanding Natural Area acquired by the
 22 United States after the date of enactment of this
 23 Act under paragraph (1) shall be added to, and ad-
 24 ministered as part of, the Outstanding Natural
 25 Area.

1 (f) LAW ENFORCEMENT ACTIVITIES.—Nothing in
2 this Act, the management plan, or the Jupiter Inlet Co-
3 ordinated Resource Management Plan (including any up-
4 dates or amendments to the Jupiter Inlet Coordinated Re-
5 source Management Plan) precludes, prohibits, or other-
6 wise affects—

7 (1) any maritime security, maritime safety, or
8 environmental protection mission or activity of the
9 Coast Guard;

10 (2) any border security operation or law en-
11 forcement activity by the Department of Homeland
12 Security or the Department of Justice; or

13 (3) any law enforcement activity of any Fed-
14 eral, State, or local law enforcement agency in the
15 Outstanding Natural Area.

16 (g) FUTURE DISPOSITION OF COAST GUARD FACILI-
17 TIES.—If the Commandant determines, after the date of
18 enactment of this Act, that Coast Guard facilities within
19 the Outstanding Natural Area exceed the needs of the
20 Coast Guard, the Commandant may relinquish the facili-
21 ties to the Secretary without removal, subject only to any
22 environmental remediation that may be required by law.

1 **SEC. 7. EFFECT ON ONGOING AND FUTURE COAST GUARD**
2 **OPERATIONS.**

3 Nothing in this Act, the management plan, or the Ju-
4 piter Inlet Coordinated Resource Management Plan (in-
5 cluding updates or amendments to the Jupiter Inlet Co-
6 ordinated Resource Management Plan) precludes, pro-
7 hibits, or otherwise affects ongoing or future Coast Guard
8 operations or activities in the Outstanding Natural Area,
9 including—

10 (1) the continued and future operation of, ac-
11 cess to, maintenance of, and, as may be necessitated
12 for Coast Guard missions, the expansion, enhance-
13 ment, or replacement of, the Coast Guard High Fre-
14 quency antenna site on lot 16;

15 (2) the continued and future operation of, ac-
16 cess to, maintenance of, and, as may be necessitated
17 for Coast Guard missions, the expansion, enhance-
18 ment, or replacement of, the military family housing
19 area on lot 18;

20 (3) the continued and future use of, access to,
21 maintenance of, and, as may be necessitated for
22 Coast Guard missions, the expansion, enhancement,
23 or replacement of, the pier on lot 18;

24 (4) the existing lease of the Jupiter Inlet Light-
25 house on lot 18 from the Coast Guard to the
26 Loxahatchee River Historical Society; or

1 (5) any easements or other less-than-fee inter-
2 ests in property appurtenant to existing Coast
3 Guard facilities on lots 16 and 18.

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated such sums
6 as are necessary to carry out this Act.

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